

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: : BANKRUPTCY CASE NO. 16-10019-TPA
:
Conneaut Lake Volunteer Fire : CHAPTER 11
Department of Conneaut Lake :
Borough and Sadsbury Township :
Debtor :
_____: : DOCUMENT NO. _____
:
Conneaut Lake Volunteer Fire :
Department of Conneaut Lake :
Borough and Sadsbury Township :
:
vs. :
:
NO RESPONDENT :

EXPEDITED MOTION TO PAY PREPETITION WAGES

AND NOW, comes the Debtor, Conneaut Lake Volunteer Fire Department of Conneaut Lake Borough and Sadsbury Township ("Debtor"), by and through its undersigned counsel, and files this *Expedited Motion to Pay Prepetition Wages* ("Motion") and in support thereof, avers as follows:

BACKGROUND AND PARTIES

1. Debtor filed a voluntary ***Petition*** under Chapter 11 of the ***Bankruptcy Code*** on January 12, 2016 at Case No. 16-10019-TPA.
2. The Debtor continues to manage its business as a debtor-in-possession. No examiner or trustee has been appointed.
3. The Debtor is a Pennsylvania non-profit (non-stock) corporation having a primary business address located at 11877 Conneaut Lake Road, Conneaut Lake, PA 16316
4. This Court has subject matter jurisdiction over this matter pursuant to ***28 U.S.C. §157 and 11 U.S.C. §1334(b)***.
5. This is a core proceeding under ***28 U.S.C. §157(b)(2)***.
6. Venue is proper in the ***United States Bankruptcy Court for the Western District of Pennsylvania*** pursuant to ***28 U.S.C. §§ 1408 and 1409***.

RELIEF REQUESTED

7. The Debtor presently employs 27 persons (the "Employees"). A copy of the list of Employees and the Gross amount of prepetition wages due to each Employee is attached hereto as Exhibit "A".
8. To minimize the hardship the Employees could suffer if their prepetition wage claims are not paid, along with the attendant negative impact on the Debtor, the Debtor, by this Motion, seeks authority to pay prepetition wages to all Employees.
9. The Employees are owed wages which were scheduled to be paid on January 15, 2016 for the period beginning on January 4, 2016 and ending on January 10, 2016. The gross payroll for the period is \$7,630.10. The Employees are also owed wages which are scheduled to be paid on January 22, 2016 for the period beginning January 11, 2016 through the date of filing, January 12, 2016. The gross payroll for the additional two days is \$1,699.06. The total amount of the pre-petition payroll for both periods is \$9,329.16.
10. There are no employees included in the pre-petition payroll periods whose prepetition wages are in excess of \$10,000 for the prepetition period.
11. Pursuant to Section 507(a)(4) of the Bankruptcy Code, employees are given a fourth priority for wages and benefits earned within 180 days prior to the Petition date up to \$10,000 per employee.
12. None of the Employees are due wages in excess of the amount entitled to priority.
13. If the Employees are not paid their prepetition wages employee morale will suffer, employees may leave their positions and the Debtor is likely to suffer harm to its operations and jeopardize its reorganization efforts.
14. The Debtor believes it is in the best interest of the estate and the creditors if it is permitted to pay the prepetition wages and related employment taxes.

WHEREFORE, the Debtor prays for an Order which authorizes the use the payment of prepetition wages and the related tax obligations and for such additional or alternative relief as may be just and proper.

Date: January 15, 2016

Respectfully Submitted,

/s/ Daniel P. Foster, Esquire

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